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BANGALORE, THURSDAY, JANUARY 10, 1924.

## PART III.

### Legislative Measures and Rules thereunder.

### NOTIFICATIONS.

*No. L.* 5050—*L. B.* 27-22-7, *dated 5th January* 1924.

The following note shall be inserted under Rule 10 (13) (3) of the rules published under notification No. R. 7559—L. B. 54-18-1, dated the 18th. December 1918 (Rules framed under Section 37 (*a*) of the Mysore Local Boards and Village Panchayets Regulation, VI of 1918) at pages 1—11 in Part III of the *Mysore Gazette*, dated 2nd January 1919:—

*Note.*—"A person to become qualified to be elected, must be nominated in writing by at least two persons whose names are included in the current electoral register and the nomination paper must bear an endorsement signed by the nominee signifying his willingness to serve if he should be elected."

By Order,

B. NAGAPPA,

*Secretary to Government,*
*Local and Legislative Departments.*

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*No. P.* 3488—*Legis.* 14-23-47, *dated* 27*th December* 1923.

In exercise of the powers vested in them under Section 6 (2) (*d*) of the Mysore Representative Assembly Regulation, XVIII of 1923, the Government of His Highness the Maharaja are pleased to make the following rules in regard to the election of members by postal votes:—

1. Not less than fourteen days before the date fixed for any election, the Returning Officer shall issue, through the post, a declaration paper and a voting paper to each elector to the address entered against his name in the electoral roll, unless the elector has since the publication of the roll changed his address and intimated the fact in writing to the Returning Officer.

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2. The declaration paper shall be in Form I and the voting paper in Form II. They shall be printed in Kannada and English. The same serial number shall be entered on the face of the declaration paper and on the back of the voting paper. To each voter shall be issued the declaration paper and the voting paper whose serial numbers correspond to the number which the voter bears on the electoral roll.

3. Before the declaration and the voting papers are issued to an elector, the Returning Officer shall :—

(*a*) have the name of the elector entered on the declaration paper; and

(*b*) place his initials against the name of the elector concerned in the electoral roll, or the copy of it, used for the purpose of the election.

4. With the declaration and voting papers, the Returning Officer shall send in an envelope addressed to himself in Form III, a smaller envelope with the number of the voting paper entered on its face and a letter in Form IV. The Returning Officer shall have the number of the declaration and voting papers entered at the left-hand bottom corner of the envelope in Form III.

5. Each elector, upon receipt of the above papers, if he desires to vote in the election, shall first sign the declaration in the declaration paper and shall then record his vote on the voting paper by placing a mark in the form of a cross against the name of the candidate or candidates chosen by him.

6. The elector shall then enclose the voting paper in the smaller envelope and stick it up and enclose the smaller envelope and the declaration paper in the larger envelope and send it by registered post to the Returning Officer so as to reach him not later than the day and the latest hour fixed for the poll. Envelopes received after such day and hour shall be rejected. Provided that, at his option, the elector may deposit the envelope in a ballot box which shall be provided at the office of the Returning officer on the day and during the hours fixed for the poll.

7. (1) If an elector is incapacitated from blindness or other physical cause from voting in the manner prescribed above, it shall be competent for him to record his vote by the hand of any Government servant or other person empowered to attest declarations and record votes and such Government servant or other person shall, on the declaration paper, certify the incapacity and attest the fact of his having been requested by the elector to mark the voting paper for him and of its having been so marked by him in the presence of the elector.

(2) The following officers or other persons are empowered to attest votes of incapacitated electors:—

(*i*) District and Taluk Board Members and Members of Municipal Councils.

(*ii*) Gentlemen who bear a title conferred by His Highness the Maharaja or recognised by the Government of His Highness the Maharaja.

(*iii*) Members of the Representative Assembly and the Legislative Council.

(*iv*) Stipendiary Magistrates, Munsiffs, Sub-Judges and District Judges.

In the case of votes recorded outside the State, attestation by Officers or non-officials of a corresponding status shall be deemed sufficient.

8. An elector who has not received his declaration and voting papers or whose papers, before their despatch back to the Returning Officer, have been inadvertently spoilt in such manner that they cannot be conveniently used or who has lost his papers may, on his transmitting to the Returning Officer a declaration to that effect signed by himself, require the Returning Officer to send him new papers in place of those not received, spoilt or lost, and if the papers have been spoilt, the spoilt papers shall be returned to the Returning Officer, who shall cancel them on receipt. In every case in which new papers are issued, a mark shall be placed against the number of the elector's name in the roll to denote that new papers have been issued in place of those not received, spoilt or lost.

9. No election shall be invalid by reason that an elector has not received a voting paper provided that a voting paper has been issued to him in accordance with these rules.

10. The envelopes received from voters by the Returning Officer, except those rejected under Rule 6, shall first be arranged serially according to the numbers entered on them and shall then be opened by the Returning Officer or in his presence. The Returning Officer shall first examine or cause to be examined whether the numbers on the declaration papers and the envelopes containing the voting papers are correct. If the Returning Officer is satisfied on this point and if the declaration and attestation are *prima facie* regular, he shall file the declaration papers and put the envelopes containing the connected voting papers in a separate heap.

11. Where the Returning Officer is not satisfied that a declaration paper is the one sent out by him to the voter concerned or where the declaration or attestation is not in order, he

shall endorse the word "rejected" on the back of the declaration paper and keep it with the connected voting papers in a separate bundle.

12. The envelopes containing the voting papers except those rejected under Rule 11 shall then be opened, the papers examined, and the votes counted by the Returning Officer or under his supervision.

13. (*a*) The returning Officer shall endorse the word "rejected" on every voting paper, that he rejects and, where the rejection order is questioned by any candidate or agent, give brief reason for his order. Rejected voting papers shall be kept separate.

(*b*) After the Returning Officer has completed the scrutiny and counting, he shall record the votes secured by each of the candidates in Form V and submit the result to the Government who will declare the election of the successful candidate or candidates.

By Order,
B. NAGAPPA,
*Secretary to Government,*
*Local and Legislative Departments.*

FORM I.

*Declaration paper.*

Constituency. Election

Serial No.

Elector's name and number on the roll.

*Elector's declaration.*

I (name in full and designation) declare that I am elector for this constituency and have signed no other voting paper at this election for this constituency.

Address

Signature

Date.....

Station.....

FORM II.

*Voting paper.*

Constituency. Election

Names of candidates.

(1) The number of members to be elected is.....

(2) Place a cross mark thus X against the name of the $\frac{\text{candidate}}{\text{each of the candidates}}$ for whom you wish to vote.

(3) The mark should be placed against not more than $\frac{\text{name}}{\text{names}}$

FORM III.

FORM OF FACE OF ENVELOPE.

Representative Assembly Election.....

Constituency.....

Poll on.....

To

The Returning Officer,

.....Constituency,

.....(Station and Address)

FORM IV.

FORM OF LETTER OF INTIMATION.

No.

.....constituency.

Sir,

The persons whose names are printed on the voting paper sent herewith have stood as candidates for the Representative Assembly. Should you desire to vote at this election, I have to request that you will:—

(*a*) first sign the declaration paper;
(*b*) then mark your vote in the column provided for the purpose in the voting paper;
(*c*) enclose the voting paper in the smaller envelope; and
(*d*) put the smaller envelope and the declaration paper in the envelope addressed to me and return it to me by registered post so as to reach me not later than .....$\frac{\text{A.M.}}{\text{P.M.}}$ on the .....day of.....192

Signed.....

Station.....

Returning Officer.

Date.....

FORM V.

FORM SHOWING THE RESULT OF THE POLLING.

| Name of candidate | Number of votes recorded in his favour |
|---|---|
| | |

Total number of valid votes.....

Total number of invalid votes.....

I declare that.....has been duly elected.

Signature.....

Returning Officer.

*No. P.* 3489—*Legis.* 14-23-48, *dated 27th December* 1923.

In exercise of the powers vested in them under Section 6 (2) (*d*) of the Mysore Legislative Council Regulation, XIX of 1923, the Government of His Highness the Maharaja are pleased to make the following rules in regard to the election of members by postal votes:—

1. Not less than fourteen days before the date fixed for any election, the Returning Officer shall issue, through the post, a declaration paper and a voting paper to each elector to the address entered against his name in the electoral roll, unless the elector has since the publication of the roll, changed his address and intimated the fact in writing to the Returning Officer.

2. The declaration paper shall be in Form I and the voting paper in Form II. They shall be printed in Kannada and English. The same serial number shall be entered on the face of the declaration paper and on the back of the voting paper. To each voter shall be issued the declaration paper and the voting paper whose serial numbers correspond to the number which the voter bears on the electoral roll.

3. Before the declaration and the voting papers are issued to an elector, the Returning Officer shall:—

(*a*) have the name of the elector entered on the declaration paper; and
(*b*) place his initials against the name of the elector concerned in the electoral roll, or the copy of it, used for the purpose of the election.

4. With the declaration and voting papers, the Returning Officer shall send in an envelope addressed to himself in Form III, a smaller envelope with the number of the voting paper entered on its face and a letter in Form IV. The Returning Officer shall have the number of the declaration and voting papers entered at the left-hand bottom corner of the envelope in Form III.

5. Each elector, upon receipt of the above papers, if he desires to vote in the election, shall first sign the declaration in the declaration paper and shall then record his vote on the voting paper by placing a mark in the form of a cross against the name of the candidate or candidates chosen by him.

6. The elector shall then enclose the voting paper in the smaller envelope and stick it up and enclose the smaller envelope and the declaration paper in the larger envelope and send it by registered post to the Returning Officer so as to reach him not later than the day and the latest hour fixed for the poll. Envelopes received after such day and hour shall be rejected. Provided that, at his option, the elector may deposit the envelope in a ballot box which shall be provided at the office of the Returning Officer on the day and during the hours fixed for the poll.

7. (1) If an elector is incapacitated from blindness or other physical cause, from voting in the manner prescribed above, it shall be competent for him to record his vote by the hand of any Government servant or other person empowered to attest declarations and record votes and such Government servant or other person shall, on the declaration paper, certify the incapacity and attest the fact of his having been requested by the elector to mark the voting paper for him and of its having been so marked by him in the presence of the elector.

(2) The following officers or other persons are empowered to attest votes of incapacitated electors:—

(*i*) District and Taluk Board Members and Members of Municipal Councils.

(*ii*) Gentlemen who bear a title conferred by His Highness the Maharaja or recognised by the Government of His Highness the Maharaja.

(*iii*) Members of the Representative Assembly and the Legislative Council.

(*iv*) Stipendiary Magistrates, Munsiffs, Sub-Judges and District Judges.

In the case of votes recorded outside the State, attestation by Officers or non-officials of a corresponding status shall be deemed sufficient.

8. An elector who has not received his declaration and voting papers or whose papers, before their despatch back to the Returning Officer, have been inadvertently spoilt in such manner that they cannot be conveniently used, or who has lost his papers may, on his transmitting to the Returning Officer a declaration to that effect signed by himself, require the Returning Officer to send him new papers in place of those not received, spoilt or lost, and, if the papers have been spoilt, the spoilt papers shall be returned to the Returning Officer who shall cancel them on receipt. In every case in which new papers are issued, a mark shall be placed against the number of the elector's name in the roll to denote that new papers have been issued in place of those not received, spoilt or lost.

9. No election shall be invalid by reason that an elector has not received a voting paper provided that a voting paper has been issued to him in accordance with these rules.

10. The envelopes received from voters by the Returning Officer, except those rejected under rule 6, shall first be arranged serially according to the numbers entered on them and shall then be opened by the Returning Officer or in his presence. The Returning Officer shall first examine or cause to be examined whether the numbers on the declaration papers and the envelopes containing the voting papers are correct. If the Returning Officer is satisfied on this point and if the declaration and attestation are *prima facie* regular, he shall file the declaration papers and put the envelopes containing the connected voting papers in a separate heap.

11. Where the Returning Officer is not satisfied that a declaration paper is the one sent out by him to the voter concerned or where the declaration or attestation is not in order, he shall endorse the word "rejected," on the back of the declaration paper and keep it with the connected voting papers in a separate bundle.

12. The envelopes containing the voting papers except those rejected under Rule 11 shall then be opened, the papers examined, and the votes counted by the Returning Officer or under his supervision.

13. (*a*) The Returning Officer shall endorse the word "rejected" on every voting paper that he rejects and, where the rejection order is questioned by any candidate or agent, give brief reason for his order. Rejected voting papers shall be kept separate.

(*b*) After the Returning Officer has completed the scrutiny and counting, he shall record the votes secured by each of the candidates in Form V and submit the result to the Government who will declare the election of the successful candidate or candidates.

By Order,

B. NAGAPPA,

*Secretary to Government,*
*Local and Legislative Departments.*

FORM I.

*Declaration paper.*

Constituency. Election

Serial No.

Elector's name and number on the roll.

*Elector's declaration.*

I (name in full and designation) declare that I am elector for this constituency and have signed no other voting paper at this election for this constituency.

Address

Signature

Date.....

Station.....

FORM II.

*Voting paper.*

Constituency. Election

Names of candidates.

(1) The number of members to be elected is.....

(2) Place a cross mark thus X against the name of the $\frac{\text{candidate}}{\text{each of the candidates}}$ for whom you wish to vote.

(3) The mark should be placed against not more than $\frac{\text{name}}{\text{names}}$

FORM III.

FORM OF FACE OF ENVELOPE.

Legislative Council.....Election.....

Constituency.....

Poll on.....

To

The Returning Officer,

.....Constituency,

.....(Station and address).

No.

FORM IV.

FORM OF LETTER OF INTIMATION.

.....constituency.

Sir,

The persons whose names are printed on the voting paper sent herewith have stood as candidates for the Legislative Council. Should you desire to vote at this election, I have to request that you will—

(*a*) first sign the declaration paper;

(*b*) then mark your vote in the column provided for the purpose in the voting paper;

(c) enclose the voting paper in the smaller envelope; and

(d) put the smaller envelope and the declaration paper in the envelope addressed to me and return it to me by registered post so as to reach me not later than ..... $\frac{\text{A.M.}}{\text{P.M.}}$ on the ..... day of ..... 192.

Signed .....

Station.....
Date.....

Returning Officer.

FORM V.

FORM SHOWING THE RESULT OF THE POLLING.

| Name of candidate | Number of votes recorded in his favour |
|---|---|
| | |

Total number of valid votes.....
Total number of invalid votes.....

I declare that.....has been duly elected.

Signature.....

Returning Officer.

*No. P.* 3539—*Legis.* 13-23-11, *dated 2nd January* 1924.]

In exercise of the powers vested in them under Section 6(2)(*d*) of the Mysore Legislative Council Regulation, XIX of 1923, the Government of His Highness the Maharaja are pleased to make the following rules regarding the election of members to the Legislative Council from the planting constituency:—

1. When a general election to the Legislative Council is notified in the official Gazette, the Amildars and Deputy Amildars of the taluks and sub-taluks concerned will prepare in Form I a list of owners of estates of not less than 50 acres under coffee, tea, cardamom or rubber, residing in their jurisdiction and send the same to an officer appointed by Government for the purpose.

2. The lists received shall be compiled and published in the *Mysore Gazette*, by the officer referred to in Rule 1, with a notice in Form II specifying the time within which, claims and objections are to be preferred and the date on which and the place at which the revising authority will begin to sit for their disposal.

3. Any person whose name is not entered on the roll or is entered in an incorrect place or manner or any person whose name is on the roll and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer a claim or objection to the revising authority.

4. Claims and objections shall be presented or sent by post to the Amildar or Deputy Amildar as the case may be on or before the date fixed. Claims and objections presented after the prescribed date shall be rejected.

5. The Amildars or Deputy Amildars assisted by two non-officials who may be appointed for the purpose shall act as the revising authorities for the several taluks and sub-taluks.

6. The revising authority shall sit in open office on the day fixed and from day to day until all the claims and objections are disposed of. Orders shall be passed in writing on each claim or objection with reasons if a claim is rejected or an objection contested. In case of a difference of opinion among the members, the opinion of the majority shall prevail.

7. The Amildar or Deputy Amildar as the case may be, shall correct the rolls in accordance with the orders of the revising authority and forward the list of corrections to the Officer referred to in Rule 1 for publication in the official Gazette.

ELECTIONS.

8. Elections to the Legislative Council from the Planting Interest shall be held on such date and at such time and place as may be notified in the *Mysore Gazette*, in this behalf.

9. Such of the persons whose names have been registered in the roll for the constituency and who are desirous of standing for election shall intimate the fact in writing to the Officer referred to in Rule 1 above, so as to reach him not later than twenty days before the date fixed for election.

10. Within three days after the date fixed for receipt of the applications, the Officer shall prepare a list of such candidates and shall forward copies of the same to the Amildars and Deputy Amildars for being posted up on a conspicuous place in their offices. The list shall also be published in the *Mysore Gazette*.

11. The Officer shall send to each person registered on the electoral roll not later than fourteen days before the date fixed for the election, a voting paper duly signed by him containing the names of candidates together with the instructions as to the manner in which the vote is to be recorded. The voting paper may also be supplied to any elector on his applying to the Officer at any time before the date of election.

Provided that no election shall be deemed invalid by reason of the non-receipt of such voting paper by any elector.

12. Voting may be recorded either in person before the Officer at the time and place appointed or sent by registered post in accordance with the regulations made in this behalf so as to reach the Officer on or before the appointed date.

13. Voting papers which are not received by the officer on or before the date appointed shall be rejected.

14. On the abovementioned date, the Officer shall count the votes and submit to the Government in a sealed cover the voting papers, together with a report duly signed by him showing the names of the candidates voted for and the number of votes secured by each such candidate.

15. The candidate who has secured the largest number of votes shall be declared duly elected and his name notified in the Official Gazette.

16. Doubts and disputes as to the validity of any election held under these rules shall be decided in accordance with the rules published with Government Notification No. P. 2407—Legis. 13-23-7, dated the 7th November 1923 by the District Judge having jurisdiction over the area in which the candidate whose election is disputed, resides.

By Order,
B. NAGAPPA,
*Secretary to Government,*
*Local and Legislative Departments.*

FORM I.

ELECTORAL ROLL FOR THE PLANTING CONSTITUENCY, LEGISLATIVE COUNCIL.

| Serial No. | Name | Father's name or other identifying particulars | Address (full) | Nature and extent of estate | Whether subject of His Highness by birth or domicile |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

FROM II.

The preliminary electoral roll of voters for the Planting Constituency relating to the Legislative Council is herewith published for general information.

Any person who claims to be entered on the roll and who is not entered on it or is entered in an incorrect manner or place or with incorrect particulars may put in a claim to the revising authority to have his name entered or the entry corrected. Claims for registration shall be preferred in the form attached hereto.

Any person whose name is on this roll and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll may prefer an objection to the revising authority. Objectors should furnish full particulars of the grounds of objection.

Claims and objections may be presented to the Amildar or Deputy Amildar at any time during office hours or sent by post but must reach him on or before the (to be filled in by the Special Officer).

Claims and objections which are not received by the date prescribed will be rejected.

All claims and objections received in time will be heard by the revising authority at the (to be filled in by the Special Officer).

Special Officer.

CLAIM FOR REGISTRATION—PLANTING INTEREST, LEGISLATIVE COUNCIL.

| Name of applicant | Father's name or other identifying particulars | Address (full) | Nature and extent of estate owned | Details of claim |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

I declare that I am a subject of His Highness the Maharaja by $\frac{\text{birth}}{\text{domicile}}$

or

that I have been exempted under proviso 2 to Rule 1 (1) of the Rules relating to the qualifications and disqualifications of voters to the Legislative Council published with Notification No. P. 2404—Legis. 13-23-4, dated the 7th November 1923.

Station.....

Date.....

Signature.